

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

WP(C).No. 29917 of 2004(J)

PETITIONER:

PARUTHIKUNNAN MOIDEENKUTTY,
PONMUNDAM AMSOM, ATHERSERY DESOM,
TIRUR TALUK.

BY ADV. SRI.KRB.KAIMAL (SR.)
SRI.B.UNNIKRISHNA KAIMAL

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.
3. THE DEPUTY DIRECTOR OF EDUCATION,
MALAPPURAM.
4. THE ASSISTANT EDUCATIONAL OFFICER,
TIRUR.
5. SHRI.PARUTHIKUNNAN MOOSAN,
PONMUNDAM AMSOM, ATHERSERY DESOM,
TIRUR TALUK.

BY ADV. SRI.K.JAJU BABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14/12/2007, ALONG WITH WPC NO. 12501 OF 2007 THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH J.

Writ Petition (Civil) No.29917/04 & 12501/07

Dated 14th December, 2007.

J U D G M E N T

Petitioner in the latter writ petition is the 5th respondent in the former. Ext.P13 order passed by the Government and the consequential Ext.P14 order passed by the Deputy Director of Education are under challenge in the former writ petition. As per the said orders, the 5th respondent was approved as the Manager of A.M.L.P.School, Athressery. The main contention of the writ petitioner is that the dispute was pending between the parties before the Sub Court, Tirur as O.S.125/02. In fact, one of the prayers in the writ petition, W.P.(C) 29917/04, was to defer further proceedings until the suit is disposed of. It is submitted that the suit has been decreed. The petitioner pursued the matter in A.S.109/05 before the District Court, Manjeri, and that was also dismissed. There is no further appeal. In that view of the matter, there is no point in continuing the interim order granted in W.P.(C) 29917/04 dated 12.10.2004, since the writ petition has been rendered infructuous. Accordingly, the said interim order is vacated and the writ petition is dismissed.

In view of the above, no further orders are necessary in

W.P.(C) 12501/07. The same is also dismissed as infructuous.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

W.P.(Civil) Nos.29917/04 & 12501/07

J U D G M E N T

Dated 14th December, 2007.